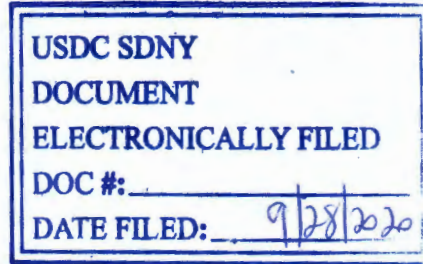


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA,

-against-

RUDY MENDOZA,

Defendant.

ORDER SETTING HEARING DATE ON DEFENDDANT'S MOTION TO RELIEVE HIS
COURT-APPOINTED ATTORNEY AND TO BE PERMITTED TO REPRESENT HIMSELF
PRO SE AT HIS RESENTENCINGSENTENCING

McMahon, C.J.:


The Second Circuit Court of Appeals remanded Rudy Mendoza's case to this Court for resentencing in-light-of *United States v. Davis*, 139 S. Ct. 2319 (2019). *Mendoza v. United States*, 14-4304. The Court assigned Jeremy Schneider, Esq., to represent Mendoza in connection with the resentencing, and calendared the sentencing for April. However, that date was scheduled before the paralyzing effect of COVID-19 became manifest. After consulting with counsel, the resentencing was pushed off until September.

In July, Mendoza had written to the Court asking (1) the Court to recuse itself, and (2) for a new court-appointed attorney. The Court denied Mendoza's recusal motion, but granted his motion for a new attorney; CJA attorney Louis Freeman was assigned. Mr. Freeman subsequently asked that the sentencing proceeding be adjourned to allow him to meet with his new client and prepare for the sentencing.

Mr. Freeman has now informed the Court that his client “does not wish to be represented by counsel, would like to proceed pro se and wants to be sentenced as soon as possible.” (Freeman Letter, September 21, 2020, ECF Document 320).

The Court will hold a hearing October 6, 2020, at 2:15 p.m., to settle the issue of defendant’s representation.

September 28, 2020



Chief District Court Judge